

April 8, 2010

Mr. Ford called the workshop meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. He read the Sunshine Statement.

Members Present: Mr. Nace, Mrs. Corcoran, Mr. Badenhause, Mr. Ryland, Mr. Ford

Members Absent: Mr. Severino, Mr. Bischoff, Mr. Walchuk, Mr. Taibi, Mr. Kastrud,
Mr. Kirkpatrick

Others Present: Atty. Mark Anderson, Robert Clerico, Carl Hintz, Atty. George Dilts,
David Hay, Paige DiRoberto

Approval of Minutes: Approval of the March 11, 2010 workshop minutes was deferred until later. They will be on the April 22, 2010 agenda..

Informal: Perryville Group LLC: Block 22, Lots 3 and 4, 173 East

Potential Solar Farm: Atty. George Dilts was present on behalf of applicant David Hay. Mr. Dilts gave an overview of the property. In 2008, Site Plan and Subdivision approval had been granted for a proposed flex building. With the present economy, that project is not feasible. Hence, Mr. Hay is proposing a solar farm. Atty. Dilts said the 2008 project included construction of the Master Plan Road. He said the solar farm proposal would not generate the resources and funds to construct that Road.

Mr. Hay provided information on the proposal. He had a feasibility study performed. It was determined that the property could handle up to a 3.9-megawatt solar farm. However, it was decided to reduce that to a 2-megawatt farm. The power generated from the proposed farm would be sold to a utility. Mr. Hay said the pole line along Route 173 is adequate for interconnection with a 2-megawatt solar farm. He said the cost would be between eight to 9.5 million dollars to install. The proposed solar panels are 2 x 5 feet. Four to six panels would be mounted on poles that range in size from 2 feet to 6 feet in height.

Mr. Ford asked that Atty. Anderson address the Board on potential legal issues. Mr. Anderson asked Mr. Hay if he thought the proposal was a permitted use or would a variance be required? Atty. Dilts said he understood that the Township was in the process of looking at a solar type ordinance. Mr. Hay thought that perhaps he could work with the Township. Mr. Hintz is preparing a draft renewable energy ordinance. He said at this time, a use variance would be required. Proposed State Legislation would recognize a renewable energy facility as inherently beneficial and could preclude the need for a variance. Atty. Anderson had a concern about the proposal because of the fact that the Planning Board and Board of Adjustment are a Joint Board. It was decided that the applicant would proceed with a discussion of the proposal and address the Planning Board. The Committee Members who sit on the Planning Board were not present. Mr. Hay indicated the proposal would have very little impact on the Township.

The visual impact would be very low. He said the property might not fit the VC District. However, Mr. Hay thought the Township might like a tax ratable with a green source of energy. Mr. Badenhausem voiced a concern about a potential impact on local utility fees. He would like additional information in that regard. Mrs. Corcoran asked if solar panels would be placed over the existing gas lines. Mr. Hay said they would not. Mr. Hay revisited the Master Plan Road issue. He wondered if there was still interest in building the Road. Mr. Nace asked how the vegetation would be controlled. Mr. Hay said it would have to be mowed. He said the site is impervious. Mr. Hintz said there is legislation, awaiting the Governor' signature, stating that solar fields are not considered impervious. Mr. Nace asked if the solar panel poles would sit on concrete. Mr. Hay explained. He said holes could be dug for the poles or they could be mounted on concrete.

A question was asked about tax assessment. Mr. Hay said there is Legislation that states if power from the solar farm were used by on-site improvements, the farm would be tax-exempt. Mr. Hay does not plan any improvements on the site. He anticipates the farm would be taxed.

Farmland Preservation Plan Element of Master Plan: Paige DiRoberto, Union Township Agricultural Advisory Committee Chair, explained that approval of the Plan makes the Township eligible for State and County monies that can be used to purchase and preserve farmland. Ms. DiRoberto and Mr. Hintz said the County and State have already approved the Plan. Mr. Ryland made a motion to approve the Farmland Preservation Plan Element of the Master Plan. Mrs. Corcoran seconded the motion, subject to any factual errors being revised in the document, following this approval. Vote: Ayes: Mr. Ryland, Mrs. Corcoran, Mr. Nace, Mr. Badenhausem, Mr. Ford
A letter will be sent to the Committee regarding the Board's action.

Comments from the Public/Other Discussion: Mr. Ford mentioned a letter from Geologist Anthony Rana regarding **Wachovia, Block 22, Lot 19, Pittstown Road**. For the Board's information. Mr. Ryland mentioned **Pilot, Block 11, Lot 24.03, 68 Route 173 West**. Mr. Ryland said the only change at the site since the March 11, 2010 workshop was that the "Now Open" sign had been removed. Mr. Clerico told the Board that the Zoning Official had visited the site. Mrs. Corcoran asked Mr. Clerico if he had received any water meter readings. Mr. Clerico said he had not.

Motion to Adjourn: Mrs. Corcoran made a motion to adjourn. Mr. Nace seconded the motion. (8:25 p.m.)
Vote: All Ayes

Grace A. Kocher, Secretary